



JPW

PATENT  
Customer No. 22,852  
Attorney Docket No. 06882.0095-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Gary T. NEEL et al.	)	Group Art Unit: 3626
	)	
Application No.: 10/764,974	)	Examiner: To Be Assigned
	)	
Filed: January 26, 2004	)	Confirmation No.: 9318
	)	
For: MEDICAL DIAGNOSTIC TESTING	)	
DEVICE WITH VOICE MESSAGE	)	
CAPABILITY	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REVOCATION OF POWER OF ATTORNEY  
AND GRANT OF NEW POWER OF ATTORNEY**

The undersigned, a representative authorized to sign on behalf of the assignee owning all of the interest in this patent application, hereby revokes all previous powers of attorney or authorization of agent granted in this application before the date of execution hereof. The undersigned verifies that **HOME DIAGNOSTICS, INC.** is the assignee of the entire right, title, and interest in the patent application identified above by virtue of an assignment from the inventor recorded in the U.S. Patent and Trademark Office at Reel 015405, Frame 0837. The undersigned certifies that the evidentiary documents have been reviewed and to the best of the undersigned's knowledge and belief, title is in the assignee **HOME DIAGNOSTICS, INC.**

The undersigned hereby grants its power of attorney to **FINNEGAN,  
HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Customer  
Number 22,852**, to prosecute this application and to transact all business in the Patent  
and Trademark Office connected therewith, and to receive the Letters Patent.

Please send all future correspondence concerning this application to Finnegan,  
Henderson, Farabow, Garrett & Dunner, L.L.P., Customer No. 22,852.

Dated: August 15, 2005

By: 

Todd L. Mayover, Esq.  
Corporate Counsel  
Home Diagnostics, Inc.



PATENT  
Customer No. 22,852  
Attorney Docket No. 06882.0095-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
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Gary T. NEEL et al. ) Group Art Unit: 3626  
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Application No.: 10/764,974 ) Examiner: To Be Assigned  
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Filed: January 26, 2004 )  
) Confirmation No.: 9318  
For: Medical Diagnostic Testing Device )  
with Voice Message Capability )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CHANGE OF CUSTOMER NUMBER AND CORRESPONDENCE ADDRESS**

Effective immediately, please make the following changes concerning all future  
correspondence with respect to the above-identified patent application:

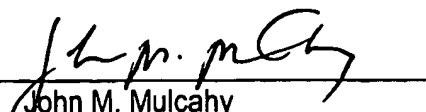
Customer No.: 22,852  
Attorney Docket No.: 06882.0095-00000  
Address: FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
1300 I Street, N.W.  
Washington, D.C. 20005-3315  
Telephone: (202) 408-4000  
Facsimile: (202)-408-4400

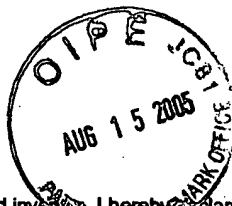
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 20, 2004

By: \_\_\_\_\_

  
John M. Mulcahy  
Reg. No. 55,940



## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: MEDICAL DIAGNOSTIC TESTING DEVICE WITH VOICE MESSAGE CAPABILITY the specification of which ☐ is attached and/or ☒ was filed on January 26, 2004 as United States Application No. 10/764,974 and Confirmation No. 9318, or PCT International Application No. [Text] and was amended on [Text] (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

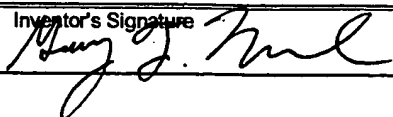
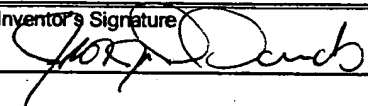

Application Number	Date of Filing

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852, Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; Roger D. Taylor, Reg. No. 28,992; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Steven M. Anzalona, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,984; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Paritch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33,921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Lori Ann Johnson, Reg. No. 34,498; R. Bruce Bower, Reg. No. 37,099; Martin Majestic, Reg. No. 25,695; Therese A. Hendricks, Reg. No. 30,389; Leslie I. Brookoff, Reg. No. 38,094; Michele C. Bosch, Reg. No. 40,524; Michael J. Hibbert, Reg. No. 33,234; Scott A. Herbst, Reg. No. 35,189; Leslie A. McDonell, Reg. No. 34,872; Thalia V. Warnement, Reg. No. 39,064; Ronald A. Bleeker, Reg. No. 27,773; Kathleen A. Daley, Reg. No. 36,116; C. Gregory Gramenopoulos, Reg. No. 36,532; Anthony M. Gutowski, Reg. No. 38,742; Lionel M. Lavenue, Reg. No. 46,859; Christine E. Lehman, Reg. No. 38,535; Patrick J. Coyne, Reg. No. 31,821; F. Leslie Bessenger, III, Reg. No. 39,108; Houtan K. Estahani, Reg. No. 41,893; Esther H. Lim, Reg. No. 41,994; Michael A. Morin, Reg. No. 40,734; Erik R. Puknys, Reg. No. 40,132; Eric P. Raciti, Reg. No. 41,475; and John M. Mulcahy, Reg. No. 55,940.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

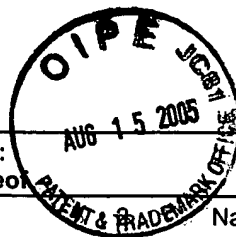
Full Name of Second Inventor Gary T. Neel	Inventor's Signature 	Date 5/12/04
Residence 1520 BlueJay Circle, Weston, FL 33327		Citizenship United States
Post Office Address 1520 BlueJay Circle, Weston, FL 33327		
Full Name of Second Inventor George R. Rounds	Inventor's Signature 	Date 5/12/04
Residence 41 Knollcrest Drive, Brookfield, CT 06804		Citizenship United States
Post Office Address 41 Knollcrest Drive, Brookfield, CT 06804		
Full Name of Third Inventor Erick A. Hernandez	Inventor's Signature 	Date 5/12/04
Residence 1843 Seville Street, Margate, FL 33063		Citizenship United States
Post Office Address 1843 Seville Street, Margate, FL 33063		

Listing of Inventors Continued on Page 2 hereof.

☒ Yes ☐ No

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP.

January 2000



To the Honorable Commissioner of Patents and Trademarks:  
Please record the attached original documents or copy thereof

ATTN. BOX ASSIGNMENTS

1. Name of conveying party(ies):

Gary T. Neel  
George R. Rounds  
Erick A. Hernandez

Name and address of receiving party:

Name: HOME DIAGNOSTICS, INC.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Internal Address:

3. Nature of conveyance:

Street Address: 2400 N.W. 55<sup>th</sup> Court

☒ Assignment ☐ Merger

City: Fort Lauderdale

☐ Security Agreement ☐ Change of Name

State: FL Zip Code: 33309

☐ Other: [Describe]

Additional name(s) & Address(es) attached?

Execution Dates: May 12, 2004

☐ Yes ☒ No

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application:

A. Patent Application Number(s):

10/764,974

B. Patent Number(s):

Additional numbers attached?

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Eric P. Raciti, Esq.

6. Total number of applications and registrations involved:  
1

7. Total fee (37 CFR 3.41): \$40

☒ Enclosed (Please charge deficiency to deposit account)

☐ Authorized to be charged to deposit account

Internal Address: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Street Address: 1300 I Street, N.W.

City: Washington, D.C.

State: Zip: 20005-3315

8. Deposit Account No.: 06-0916

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John M. Mulcahy  
Reg. No. 55,940

  
Signature

June 1, 2004  
Date

Total number of pages including cover sheet, attachments and documents: 3

## ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

### MEDICAL DIAGNOSTIC TESTING DEVICE WITH VOICE MESSAGE CAPABILITY

for which I/We executed an application for United States Letters Patent concurrently herewith or filed an application for United States Letters Patent on January 26, 2004 (Application No. 10/764,974); and

WHEREAS, HOME DIAGNOSTICS, INC., a corporation of Delaware whose post office address is 2400 NW 55<sup>TH</sup> Court, Fort Lauderdale, FL 33309 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/We, as Assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention, provisional Application No. [Text], filed [Date] (if any), and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of the above provisional application (if any), as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/We have the full right to convey the interest assigned by this Assignment, and I/We have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to me/us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/We have hereunto set our hands.

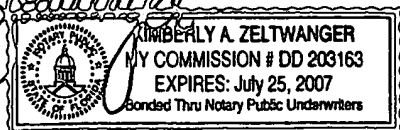
County of Broward )  
 )  
 )  
State of Florida )

ss.

Name: Gary T. Neel  
Address: 1520 BlueJay Circle  
Weston, FL 33327  
By: [Signature]  
Date: 5/10/2004

Subscribed and sworn to before me this 12 day of May, 2004  
Notary Public

[Signature]



County of Broward )

State of Florida )

Name: George R. Rounds  
Address: 41 Knollcrest Drive  
Brookfield, CT 06804  
By: [Signature]  
Date: 05.12.04

Subscribed and sworn to before me this 12 day of May, 2004  
[Signature]  
KIMBERLY A. ZELTWANGER  
MY COMMISSION # DD 203163  
EXPIRES: July 25, 2007  
Bonded Thru Notary Public Underwriters

County of Broward )

State of Florida )

Name: Erick A. Hernandez  
Address: 1843 Seville Street  
Margate, FL 33063  
By: [Signature]  
Date: 5/12/2004

Subscribed and sworn to before me this 12 day of May, 2004  
[Signature]  
Notary Public  
KIMBERLY A. ZELTWANGER  
MY COMMISSION # DD 203163  
EXPIRES: July 25, 2007  
Bonded Thru Notary Public Underwriters